

WEST AREA PLANNING COMMITTEE

10th April 2018

Application Number: 17/03332/FUL

Decision Due by: 22nd February 2018

Extension of Time: 20th April 2018

Proposal: Proposed car park of 17no. spaces. (Amended plans)

Site Address: New College Sports Ground , St Cross Road

Ward: Holywell Ward

Case Officer Felicity Byrne

Agent: Mr Chris Pattison **Applicant:** c/o Agent

Reason at Committee: This is a delegated item. However as it is linked with Major development under 17/03330/FUL, Officers consider it appropriate for Committee to determine this application as well.

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and;

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary and issue the planning permission.

2. EXECUTIVE SUMMARY

2.1. This report considers the creation of a car park providing 17 car parking spaces for use by New College and New College School. The car park is located on the edge of New College Sports ground which lies within the Central Conservation Area (CCA), Green Belt and Flood Zones 2 & 3. The car park is required in association with the major redevelopment of New College School and Student Campus grounds on Savile Road (17/03330/FUL refers). The report concludes that the development would not harm the significance of the CCA. Whilst in the Green Belt it is considered appropriate development that would preserve the

openness of the Green Belt and would not conflict with the five purposes of including land within the Green Belt. It finds that whilst within the flood plain of the River Cherwell, the site would be monitored and controlled by the Porter's Lodge and with the implementation of a Flood Management Plan that prevents the use of this car park during flooding events any potential risk is reduced and can be satisfactorily mitigated in this case. Soft landscaping around the car park would aid its visual integration. Officers therefore recommend that the application is approved subject to conditions set out in Section 12 of the Report.

3. LEGAL AGREEMENT

3.1. There is no requirement for a legal agreement in this case.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located on the south-western edge of New College Sports ground adjacent to New College's Weston Buildings student accommodation and their Brian Johnstone Sports Pavilion. The car park is accessed from St Cross Road via the existing access in to the New College campus. The site lies within the Central Conservation Area (CCA), the Green Belt and Flood Zones 2, 3a & 3b. The listed Grade I Lesley Martin Law Library is situated the other side of the Weston Buildings and the access on St Cross Road. Opposite New College Sports Field on the western side of St Cross Road are the playing fields of Balliol and the University. The eastern edge of the Sports Field is bounded by the River Cherwell and mature screening.

5.2. The site is identified on the plan below



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6. PROPOSAL

6.1. The application proposes the creation of a car park providing 17 car parking spaces, which formalises existing informal parking on the sports field.

7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

80/00847/NFH - New Sports Pavilion (Amended Plans). Approved
94/00487/NFZ - Erection of building up to 3 storeys high to provide accommodation for 48 students with shared facilities. Ancillary laundry and store buildings, communal gardens and covered cycle storage (48 spaces), and disabled parking space. Approved
97/01021/LH - Conservation Area consent for demolition of 5 staff houses. Approved
97/01022/NFH - Buildings up to 3 storeys for 45 student study beds in 8 houses & junior fellow in flat, accommodation for porter & groundsman, with porters lodge, barrier access, 4 car & cycle spaces, ancillary facilities & landscaping. (Amended plans). Approved

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP6, CP8, CP10,	CS18_		
Conservation/ Heritage	12	HE2, HE3, HE7,			
Housing	6				
Commercial	1, 2				

Natural Environment	9, 11, 13 Paragraphs 93 to 108	CP11, NE15, NE16, NE23, NE6,	CS11_, CS12_,		
Social and community	8	SR5,			
Transport	4	TR1, TR2, TR3, TR12, TR11,			Parking Standards SPD
Environmental	10	CP19, CP20, CP21, CP22, CP23,			
Misc	NPPF Paras 80 - 90	CP.13, CP.24, CP.25	CS4		

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 10th January 2018.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 9.2. The application relates to the relocation of the parking spaces that will be lost as a result of 17/03330/FUL. Since there is no net increase in spaces proposed, the county council considers that the proposal to relocate these spaces at the nearby St Cross Road site is acceptable. The county council does not object to the application, subject to a condition requiring a sustainable drainage scheme.
- 9.3. It is noted from the submitted plans that the parking bays measure 4.8m x 2.4m. This is below the minimum dimensions set out in the county council's design guidance which sets out that parking spaces must have minimum dimensions of 5m x 2.5m. Consequently accessing those parking bays may prove difficult for larger modern vehicles. We note that these parking bays are not located on or near to the public highway and so any obstructions caused by vehicles overhanging the parking bays or manoeuvring in to / from bays will not affect the operation or safety of the highway, however we would recommend that the layout and dimensions of the parking bays are reviewed in line with the county council's guidance. NB. Amended plans to address this concern have been received.
- 9.4. The additional hard surfaced area must be drained using SUDs methods.

Sport England

- 9.5. Sport England is concerned about the proximity of the car park access road to the outer edge of the run off zone for the rugby pitch and damage to cars from

cricket balls. They would like to see the access road to the car park narrowed if possible to allow further run off space and the use of materials for the surfacing may cause health and safety issues.

Environment Agency:

- 9.6. The Environment Agency has objected to the application. The NPPF and its associated National Planning Practice Guidance classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each flood zone. The development type in the proposed application is classified as 'more vulnerable', as noted within Table 2 of the National Planning Practice Guidance (NPPG). Tables 1 and 3 of the NPPG make clear that this type of development is not compatible with this flood zone and should not therefore be permitted.
- 9.7. The Environment Agency have suggested that the applicant can overcome our objection by either removing the proposed development from Flood Zone 3b or demonstrating that the proposed development is not located within Flood Zone 3b. This may include undertaking further studies such as detailed flood modelling.

Public representations

- 9.8. None received.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design and impact on Heritage;
- iii. Transport;
- iv. Flooding;
- v. Sport Facilities;
- vi. Landscape;
- vii. Biodiversity;
- viii. Archaeology.

i. Principle of Development

- 10.2. The National Planning Policy Framework [NPPF] includes a presumption in favour of sustainable development (paragraph 14) and recognises that the planning system has an economic, social, and environmental role in achieving this aim. The proposed development involves the creation of a car park within land that is previously developed that lies within the green belt.
- 10.3. The NPPF places great importance on Green Belts. The fundamental aim is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts being their openness and permanence (paragraph

79). This fundamental aim is also supported through Oxford Core Strategy CS4 which states that permission will not be granted for inappropriate development within the Green Belt, in accordance with national planning policy.

- 10.4. According to Paragraph 80 of the NPPF the Green Belt serves five purposes,:
- *To check the unrestricted sprawl of large built up areas;*
 - *To prevent neighbouring towns merging into one another;*
 - *To assist in safeguarding the countryside from encroachment;*
 - *To preserve the setting and special character of historic towns; and*
 - *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 10.5. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 87). Furthermore when considering any planning application, substantial weight should be given to any harm to the Green Belt. ‘Very Special Circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (paragraph 88).
- 10.6. Paragraph 90 of the NPPF states that certain forms of development are not considered inappropriate in Green Belt locations provided they preserve the openness of the Green belt and do not conflict with the purposes of including land in Green Belt. This includes engineering operations.
- 10.7. The creation of a car park would constitute an ‘engineering operation’ and therefore it falls to consider whether the development would
- (a) preserve the openness of the Green Belt; and
 - (b) does not conflict with the purposes of the Green Belt; and that it is thereby appropriate, or, if not appropriate, that there are very special circumstances which justify the grant of planning permission in accordance with NPPF para.88.
- 10.8. The Green Belt designation encompasses New College Sports Field and University Parks to the North and the River Cherwell and its meadows to the east of the site up to Marston. The car park would be made using Biopave, a surfacing material similar to grass create, which would allow the grass to grow through it, and therefore provide a hidden substructure sufficient enough to withstand vehicles. It would be flush with the existing grass and therefore would be effectively camouflaged. When the car parking is in use the parked vehicles would be seen, as is currently the situation, however, the applicant has agreed to the provision of a hedge screening around the car park as discussed elsewhere in this Report.
- 10.9. It is considered that the proposal would result in a relatively small area of car parking close to the existing Weston Buildings. It should be noted that in allowing certain types of appropriate development within the Green Belt such as developments associated for outdoor sport and recreation, there would be an acceptance that some form of ancillary parking would be required to serve such uses. While it would be within the otherwise open playing field it would not negate the role of the Green Belt in checking urban sprawl. It would not lead to

the merging of built up areas either physically or visually due to the River Cherwell bounding the eastern edge and the mature screening beyond. The safeguarding of the countryside from encroachment would be maintained as the car park is within an existing sports field again constrained by the river and trees which prevent the encroachment further east into the meadows and floodplain.

10.10. As discussed in more detail below the special character and significance of the Conservation Area and the setting of Oxford as a whole would not be harmed. The sports field is previously developed land and therefore the proposal would not negate its purpose in assisting urban regeneration by encouraging the recycling of derelict and other urban land.

10.11. In conclusion therefore it is considered that the development would preserve the openness of the Green Belt and does not conflict with the purposes of the Green Belt; and that it is thereby appropriate in accordance with the NPPF and CS4 of the CS.

ii. Design and Impact on Character of Surrounding Area:

10.12. The site lies within the Central Conservation Area (CCA), adjacent to the Weston Buildings that bound the sports field providing student accommodation for New College. The sports field itself is set behind fencing and mature tree screening St Cross Road to the west and mature trees and hedging along the River Cherwell that bounds east of the Field. To the north of the field is Linacre College bounded by a high brick wall and the Marston Cyclepath that separates the field from University Parks to the north and is again bounded by hedging and mature trees. The other side of the River is the Music Meadow of to the rear of St Cat's College on Manor Road and views in to the sports field are heavily screened and only glimpsed. Sitting behind the Weston Buildings is the Grade I listed Lesley Martin Law Library.

10.13. This part of the CCA has its origins as a small settlement on the outskirts of the Medieval City, and still maintains a suburban character typified by residential scale housing and buildings set back from the street with front gardens and informal tree and shrub planting. The change in character from City to suburban can be seen as one moves up Longwall and then changes into St Cross Road. The Leslie Martin law library built in the 20th Century is dominant at the corner of Manor Road with the Weston Buildings beside it on St Cross Rd. Opposite are the buildings of Balliol College Master's Field and the University Sports field. This character changes again further up St Cross Road as the University Science area presents itself on the western side of the St Cross Road. The science area is excluded from the CCA. To the east the River Cherwell and its tributaries sit within the swath of enclosed and open meadows which present a rural character and appearance and form part of the setting of Oxford.

10.14. The New College sports field together with other sports fields nearby contribute to the character and appearance of the CCA at this point. There is already informal parking of cars and larger vehicles (e.g. minibus's) taking place at the northern end of the sports field which has a visual impact on the appearance of the CCA at this point. It is considered that the development presents the opportunity to improve this visual impact on the CA. Whilst the car park

substructure itself would not be visible due to the proposed materials which would make it look like grass, the vehicles themselves would be visible. It is therefore considered that soft landscape planting around the car park in the form of hedging, would enhance the CA and mitigate the visual intrusion of the vehicles. The Applicant has already agreed to such planting, which could be secured by a suitably worded condition.

10.15. It is considered that the formalisation of this parking at this location, subject to a landscaping condition, would not harm the significance of the CA or the harm the setting of Oxford as it would not harm the ability to appreciate its rural setting.

iii. Transport:

10.16. The car park would provide 17 car parking spaces, 3 for the College and 14 for the School. The Planning Design & Access statement states that currently all car parking for the school is available on site, taking up space that should otherwise be available for play by the pupils. The school has some need for staff parking, in particular for peripatetic teachers who travel between schools during the day teaching music lessons and rely on use of a private car for transportation of musical instruments. The school also have a minibus that requires parking. Various options for incorporating car parking on the main Savile Road site have been considered. The number of spaces has been reduced to 2 formal car parking spaces adjacent to 1 Savile Road, including for accessible parking, including one designated accessible parking bay (17/033308/FUL refers).

10.17. The College have considered their parking needs across their central Oxford sites (main site at Holywell Street, Weston Buildings, and Savile Road site). The College already runs a permit based system which limits the number of private vehicles able to park on site. Currently there is some limited informal car parking occurring at New College sports field which is used by three main groups:

- The College – visiting teams that use the sports field (all staff and students of New college are expected to arrive on foot or by bicycle);
- The School – young children use the sports field and there are currently no safe set down and pick up points. Again, there is sometimes a need for parking for visiting teams in particular when bringing sports kit and equipment;
- The Community – the sports grounds are used by external groups such as local cricket teams. The most significant commitment of the College, particularly in the summer, is use of the sports field by KEEN, a registered charity and joint organisation of Oxford University and Oxford Brookes University providing social, sporting and recreational activities for children and adults with special needs in the surrounding area. There are currently around 200 people with special needs using the services of KEEN. KEEN uses the ground every Saturday in the summer term and has a big sports day at the end of term.

10.18. The strategic approach to rationalising car parking provision for the College has been seen as an opportunity to enhance current facilities for the three key user groups, whilst freeing up space on the Savile Road site for use as play areas for the school and improve its setting.

- 10.19. In response to the comments from the County the size of the spaces has been increased, resulting in a minor increase in the size of the site. This would not have any adverse implications, discussed elsewhere in this Report.
- 10.20. The HA has raised no objection in principle to the provision of a car park in in this location given that the car parking numbers within the Central Transport Area (TCA) would not increase from the Savile Road site. A draft Travel Plan has been submitted which encompasses both the School and College.
- 10.21. It is considered that given the comments of the HA and that there would be no net increase in car parking within the TCA in compliance with TR2 of the OLP, and the imposition of the Travel Plan which would seek to reduce car parking for both School and College, no objection to this formalised car park, subject to conditions.

iv. Flooding:

- 10.22. The NPPF states that when determining planning applications, Local planning authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas at risk where informed by a site specific flood risk assessment following the Sequential Test, and if required an Exception Test which aims to make the development safe without increasing flood risk elsewhere (paragraph 103). The National Planning Practice Guidance [NPPG] provides guidance on how the risks associated with flooding should be taken into account in the planning process. The starting point for any assessment would be to consider the flood risk vulnerability of the proposed land use.
- 10.23. At a local level, Oxford Core Strategy Policy CS11 states that permission will not be granted for development in the functional flood plain (Flood Zone 3b) except for water compatible uses and essential infrastructure. It requires Flood Risk Assessments from developments over 1ha and in any area of flood risk from rivers (Flood Zone 2 and above) and other sources, and that such assessments shall show how the proposed development will not increase flood risk. That mitigation measures must be implemented to mitigate risk and that schemes should incorporate sustainable urban drainage measures to limit run off, and preferably reduce the existing rate of run-off. Development will also not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.
- 10.24. A site specific Flood Risk and Drainage Assessment [FRA] has been submitted with the application in accordance with the NPPF and Core Strategy Policy CS11.
- 10.25. Officers have noted that there is slight discrepancy between the latest data for the Strategic Flood Risk Assessment and the Environment Agency Flood Map for Planning with regards to the extents of Flood Zone 2, however Flood Zone 3 is in agreement. The site appears to lie mostly within Flood Zone 3, with a small section of the site closest to the River Cherwell, amounting to the last two spaces and the turning head, falling within Flood Zone 3b.

- 10.26. The classification of car parks as 'water compatible' is debateable, and views differ on this issue. The Environment Agency (EA) has objected on the grounds that they consider it to be water incompatible and consider that the development type in the proposed application is classified as 'more vulnerable', as noted within Table 2 of the National Planning Practice Guidance (NPPG). Tables 1 and 3 of the NPPG make clear that this type of development is not compatible with this flood zone and should not therefore be permitted.
- 10.27. However, the FRA identifies that open car parks are not included in the NPPG's vulnerability classification tables, contrary to the EA's opinion, and considers that open car parks can be classified as a water compatible development. Officers have noted that the NPPG does not include a 'car park' within its tables that categorises different uses according to their vulnerability to flood risk and as a result it is not possible to use the criteria to identify directly whether the development is 'appropriate' and whether or not it should be permitted. Officers consider that it could be reasonably argued that the flood vulnerability for a car park would be low due to the non-residential nature of the facility and because there is no overriding requirement for the facility to remain operational during exceptional flood events.
- 10.28. The NPPG paragraph 67 Table 3 advises that "less vulnerable uses" are, in principle, not appropriate in flood zone 3b unless they meet both Sequential and Exception Tests. The FRA states that 'the NPPG states that "when applying the sequential test a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere". The College have considered their overall estate in Oxford city centre for options to rationalise their parking provision. The College have therefore determined to consolidate its New College School car parking at its sports grounds. This allows more efficient use of their site at Savile Road, and will also improve the availability of car parking for sports use out of school hours. Therefore the proposed development should not be subject to the sequential and part of the exception tests as the car park is needed to serve this particular site'.
- 10.29. In this case the proposed development is considered to be minor, given its overall size and works involved. Furthermore, the siting of the car park in this location is the most sustainable and closest to the main Savile Road development (17/03330/FUL refers), within a few minutes walk, for which the car parking would be used daily and formalises existing car parking that occurs adjacent to the existing Weston Buildings. The car park could not easily be located elsewhere on the sports field within Flood Zone 2 without a likely detrimental impact on the sporting facilities or harm to mature trees that are significant to public amenity. To locate additional car parking within New College main campus would likely have detrimental impacts on highly valued designated heritage assets. Taking a pragmatic approach it is therefore considered that this is the most suitable location for the car park and meets the Sequential Test.
- 10.30. In considering the Exemptions Tests it is considered that this site is the most sustainable and the public benefits derived from the main campus re-

development (17/03330/FUL refers) outweigh flood risk in this case. It therefore falls to consider the site specific flood risk of the site.

Flood risk on site/Safe access and Egress

10.31. The flood depth from the Environment Agency modelled flood levels is shown to be 56.87m AOD for the 1 in 100y +25% Climate Change flood event, and the site plan shows the lowest level to be around 56.48m AOD, and a max flood depth of approximately 400mm. The FRA quotes DEFRA/EA 'Flood Risks to People' document "*cars will stop and/or float in relatively shallow water (as low as 0.5m in depth)*" and deduces that cars will therefore be at low risk of flotation. In line with the methodology of the report, depth and velocity should be taken into account. This is however included within the EA modelled flood data attached to the FRA, which shows the majority of the site area to be a 'Very low hazard', which would generally be considered as acceptable in terms of access and egress.

10.32. The FRA states that: *'In accordance with the SFRA and the EA's advice a Warning and Evacuation Plan must be prepared in liaison with the Local Authority and the Emergency Services to allow site users to leave the site in the event of a flood.'* and *'The university will be registered with the EA's Flood Warning Service, monitor the EA flood alerts and prevent people from using the car park when there is a flood alert. This mitigates against the risk of flooding on the cars and people accessing the park car park during a flood event'*.

10.33. Officers concur that the majority of the site is very 'low risk' hazard rating and the depth of the potential flood water at approximately 0.40cm would be sufficiently below the 0.50cm depth where cars would be at risk of being flooded and floating away. Furthermore it should be recognised that this is a private car park, where access to the Sports Ground and Weston Buildings from St Cross road is barrier controlled by the Lodge Porter could effectively prevent all access in time of flooding thereby reducing risk and vulnerability. In addition a Flood Warning and Evacuation Plan for the site has been submitted, which along with the 'Very low risk' hazard rating, would reduce risk to users of the site. This could be secured by condition.

Flood risk off site

10.34. The FRA states that *'There will be no increase in levels for the site and therefore there will be no displacement of flood water as a result of the development'*, so there should be no encroachment on flood plain storage as a result of the development. It also states that permeable paving will be used (either with infiltration if feasible, or conveyance if not) which would mitigate any greenfield area being paved. Given both of the above, it is considered that the development would not significantly increase risk offsite.

Drainage

10.35. The submitted Flood Risk Assessment provides two possibilities for drainage: permeable paving with infiltration if soakage tests demonstrate feasibility, or permeable paving with an outfall to the River Cherwell if infiltration is not feasible. Full details of these should be submitted if approved, with results of soakage tests in accordance with approved procedure (BRE Digest 365, British

standard etc.) provided. If based on attenuation and discharge into the river, they should take into account a surcharged outfall for discharge in times of higher river levels/flood.

10.36. In conclusion therefore, whilst a very small part of the car park appears to fall within Flood Zone 3b the majority of the site is in Flood Zones 3a & 2. The proposal constitutes minor development within Flood Zones 2 & 3 and therefore the sequential and exceptions tests do not apply. It is considered that the development is appropriately flood resilient and resistant, safe for its users for the development's lifetime and will not increase flood risk overall in accordance with the NPPF and CS11 of the CS.

v. Sport Facilities:

- 1.1. The sports field itself is designated a protected open space under SR2 and SR5 of the OLP and it is therefore important to ensure that the development would not harm the functioning of this sporting facility or open space. The sports Ground currently comprises: 1 cricket (oval) pitch, 6 grass tennis courts, 1 hard surface tennis court, 1 football pitch, 1 smaller pitch, 2 sports pavilions and 2 squash courts. The proposal would result in a small area of the grassed field being given over to the new internal access road and car park to the south-western part of the field. This area is already parked on.
- 1.2. The car park would be located where three of the grass tennis courts are currently situated. These would be moved and replaced elsewhere on the sports field. There would be the loss of one court but overall there would be no loss of sporting facilities.
- 1.3. The comments of Sport England have been noted by the College. The car park is approximately 97m at one end and 85m at the other to the closest parking space. The College feels that it would be very rare for a cricketer to hit the ball this far. In any instance where a ball did reach the car park, a hedge would be an ineffective barrier, as the trajectory of a falling ball struck from the batting pitch would likely pass through the top section of a hedge. Netting would be a more effective barrier in this respect, although this has not been applied for. The area of car parking is outside of the zone of both the cricket and rugby pitches, and would not result in any loss of sports provision. The use of Biopave, similar to grass-crete, means that there would be flush surface with the grass, should players run off that far.
- 1.4. It is considered therefore that whilst there would be a small loss of protected open air sports facilities and public open space contrary to SR2 and SR5, the applicant has satisfactorily demonstrated that there would be no long term harm to the functioning of those sporting facilities. In addition the benefits derived from the development, in particular the formalising of parking of vehicles and soft landscaping around it would outweigh the marginal loss of grassed area in this case.

vi. Landscape:

10.37. The trees within the site are protected by virtue of location within the Central

Area Conservation Area. The OLP requires that as far as possible existing trees and other landscape features are successfully retained within new development and that new trees and new soft landscaping including tree planting is included whenever it is appropriate. Policy NE16 of the OLP seeks to ensure that development will not destroy protected trees if it will have a significant adverse effect upon public amenity. Any protected tree that is destroyed must be replaced by a tree, or trees, suitable for the location.

10.38. The sports field is open grass surrounded by mature trees and hedging on the east, west and northern boundaries. Public views are obtained from various points along the western boundary from St Cross Road and from the bridge on the cycleway at the far the north-eastern corner. The parked cars would therefore be visible within the sports field. No landscaping has been proposed. It is considered that the northern boundary of the new car park should be soft landscaped appropriately with native species hedging and trees to help screen it in views from the wider landscape. The College has agreed to the imposition of a condition to secure this and on this basis the proposal accords with HE3, and NE15 of the OLP.

10.39. Trees along the existing access drive from St Cross Road are also protected and would need to be adequately protected during the construction phase which could also be secured by condition.

vii. Biodiversity:

10.40. CS12 of the CS states that there should be no net loss of sites and species of ecological value and where there is opportunity development will be expected to enhance Oxford's biodiversity. The NPPF, paragraphs 117-118, set out that the planning system should contribute to and enhance the natural and local environment by minimising adverse impacts on biodiversity and incorporating opportunities to enhance it.

10.41. The proposal would result in the grass becoming a biopave grassed area. Therefore there would not be a loss of grassed area and therefore biodiversity. However there is the opportunity for enhancement. The new soft landscaping presents that, which can be secured via the landscaping condition for biodiverse planting, and as such it accordance with CS12 and the NPPF.

viii. Archaeology:

1.5. The NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact,

and to make this evidence (and any archive generated) publicly accessible. OLP HE2 also applies.

- 1.6. This application is of interest because it involves 500mm strip for new car parking and access located 15m north of the Royalist Civil War ramparts (as mapped on the 1876 OS map) where the remains of related outworks may be present and within an extensive and dispersed landscape of Late Neolithic – Early Bronze Age ritual and funerary monuments (though the site is some distance from the nearest recorded component of this landscape). Archaeological recording in 1961 during the construction of the Law Library 40m to the south recorded ‘Large quantities of pottery... some at least post medieval’ in date, presumably related to the settlement core of the medieval and post-medieval suburb of Holywell to the south.
- 1.7. In this case, bearing in mind the scale of the proposed work, in line with the advice in the National Planning Policy Framework, any consent granted for application should be subject to a condition to secure the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation.

2. CONCLUSION

- 2.1. It is considered that the development would not harm the significance of the CCA. Whilst in the Green Belt it is considered appropriate development that would preserve the Green Belt and would not conflict with the five purposes of including land within the Green Belt. It finds that whilst the site is within Flood Zone 3, only a small part of the site would be within the functional flood plain (Flood Zone 3b) of the River Cherwell, the site would be monitored and controlled by the Porter’s Lodge and with the implementation of a Flood Warning and Evacuation Plan that prevents the use of this car park during flooding events any potential harm can be satisfactorily mitigated in this case and risk would be reduced.
- 2.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to conditions set out in Section 12 of the Report.

3. CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 The materials to be used in the new development shall be as shown on Plan no. ****. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

- 4 Prior to the commencement of development, a fully detailed landscape plan showing soft landscape planting around the car park so as to screen parked vehicles, and including a planting plan schedule to include biodiverse species, shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented.

Reason: To screen the development from within the wider landscape and from public views in the interest of the Conservation Area and Green Belt in accordance with Policies CP1, CP8 CP10 and HE3 of the Oxford Local Plan 2001-2013 and CS4 and CS18 of the Core Strategy.

- 5 The landscaping proposals as approved by the Local Planning Authority shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which building development is substantially completed. All planting which fails to be established within three years shall be replaced.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

- 6 The development shall be carried out in strict accordance with the approved tree protection measures contained within the planning application details unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 7 No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric and post-medieval remains in accordance with policy HE2 of the Adopted Oxford Local Plan 2001-2016.

- 8 Prior to the first occupation of the development hereby permitted the applicant shall submit to and obtain the agreement in writing of the local planning authority, a travel plan. The plan shall detail how it is proposed to achieve an annual reduction in the amount of vehicles accessing this site, the means for implementing the plan, method of monitoring and amending the plan on an annual basis. The results of the annual monitoring exercise shall be submitted to the local planning authority in writing and the travel plan amended accordingly in light of discussions with the local planning authority.

Reason. To limit the number of journeys by private motor car and reduce the pressure for car parking in the locality in accordance with policies CP1, TR2 and TR12 of the Adopted Oxford Local Plan 2001-2016.

- 9 The 'Flood Warning and Evacuation Plan' (Price & Myers - Job No. 24735 - March 2018) should be implemented on the site prior to first use, and maintained thenceforth.

Reason: In accordance with Oxford Core Strategy Policy CS11 and the NPPF.

- 10 This permission shall only be implemented in association with 17/03330/FUL.

Reason: Because otherwise it would introduce additional car parking within the Central Transport Area contrary to Policy TR3 of the Oxford Local Plan 2001-2010.

- 11 Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.

The plans, calculations and drainage details submitted shall demonstrate that;

- I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with an allowance for climate change.
- II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- III. Excess surface water runoff must be stored on site and released to receiving system at greenfield runoff rates.
- IV. Where sites have been previously developed, betterment in runoff rates will be expected, with discharge at, or as close as possible to, greenfield runoff rates.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the Local Planning Authority.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

- 12 A SuDS maintenance plan should also be submitted and approved by the Local Planning Authority. The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDs maintenance plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function safely and effectively in perpetuity.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

4. APPENDICES

Appendix 1 – Proposed Site Block Plan

5. HUMAN RIGHTS ACT 1998

- 5.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

6. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 6.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve of planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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